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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,921	08/03/2001	Toshio Ootani	HITA.0084	7157

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REED SMITH LLP
3110 FAIRVIEW PARK DRIVE, SUITE 1400
FALLS CHURCH, VA 22042

EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 05/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,921

Applicant(s)

OOTANI ET AL.

Examiner

Ba Huynh

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 13-17, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 9-12 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 19-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 19-20 recite a computer program (capable of being executed by a computer). Computer program per se is not statutory as being non-tangibly embodied.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,633,312 (Rochford et al).

- As for claims 1, 13: Rochford et al (herein Rochford) teach a computer implemented method and corresponding system for visualizing from network topology data multi-layer network schematics (1:63-2:43), comprising the steps/means:
visualization control means (means for displaying the network);

partial domain management units prepared for each of a plurality of partial domains (layer, 3:56-4:10) defined in the topology; each of the partial domain management units includes predefined components to be displayed;

a user may drill-down within a selected partial domain to view a next level of detail view by clicking on a location of a display (5:62-6:19).

- As for claims 2, 14: The selected geographical region is a base view for different attribute layer (7:66-8:41; 10:9-26). Thus it is inherently included that the coordinates and size of the selected region is stored for subsequence display of each of the attribute layer.
- As for claims 3, 15: Since the display of a base view depends on the coordinates of the selected region, coordinates of other base views are automatically modified depended on the coordinates of the selected icon. Coordinates of displayed attributes also depend on coordinates of the base view (e.g., banks in Toronto are displayed within the coordinates of Toronto. See explanations of figures 2B, 3D, 4B).
- As for claims 4, 5: It is inherently included that the coordinates of a new selected base view, which horizontally/vertically adjacent to the current base view, is equal to the width/height of the new base view minus the width/height of the old base view.
- As for claims 6, 7, 16: Symbols representing components of an attribute layer are displayed on the base view (fig. 3D). Means for storing data of the relative coordinates at which the components are to be visualized is inherently included such that the component are displayed whenever requested (16:56-64).

Claim Rejections - 35 USC § 103

Claims 8, 17, 19, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rochford et al.

- As for claims 8, 17: Component-to-component connections 602 (figure 6C) are defined as discrete component links (links associated with each component), independent of the view level to which each component belongs (the links are displayed responsive to filtering selection, not on the base view). Rochford is silent regarding the components connection table. However, since the connection line visually connects two points on the display, it appears that the table associating the two points with the connection line is inherently included in Rochford. Even if it is not, implementation of the table would have been obvious to one of skill in the art in light of Rochford's teaching of connection lines. Motivation of the implementation is for defining the connection between any two points.
- As for claims 19, 20: Rochford et al (herein Rochford) teach a computer implemented method and corresponding system for visualizing from network topology data multi-layer network schematics (1:63-2:43), comprising the steps/means:
 - visualization control means (means for displaying the network);
 - partial domain management units prepared for each of a plurality of partial domains (3:56-4:10) defined in the topology; each of the partial domain management units includes predefined components to be displayed;

a user may drill-down within a selected partial domain to view a next level of detail view by clicking on a location of a display (5:62-6:19). Component-to-component connections 602 (figure 6C) are defined as discrete component links (links associated with each component), independent of the view level to which each component belongs (the links are displayed responsive to filtering selection, not on the base view). Rochford is silent regarding the components connection table. However, since the connection line visually connects two points on the display, it appears that the table associating the two points with the connection line is inherently included in Rochford. Even if it is not, implementation of the table would have been obvious to one of skill in the art in light of Rochford's teaching of connection lines. Motivation of the implementation is for defining the connection between any two points.

Allowable Subject Matter

Claims 9-12, 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2179

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh
Primary Examiner
AU 2179
5/25/05

BA HUYNH
PRIMARY EXAMINER

